

Exhibit 4

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

LA UNIÓN DEL PUEBLO ENTERO, <i>et al.</i> , <i>Plaintiffs</i> ,	§	
	§	
	§	Case No. 5:21-cv-844-XR
v.	§	[Lead Case]
	§	
GREGORY W. ABBOTT, <i>et al.</i> , <i>Defendants</i> .	§	

UNITED STATES OF AMERICA, <i>Plaintiff</i> ,	§	
	§	
	§	Case No. 5:21-cv-1085-XR
v.	§	[Consolidated Case]
	§	
STATE OF TEXAS, <i>et al.</i> , <i>Defendants</i> .	§	

**STATE DEFENDANTS' FIRST SET OF REQUESTS
FOR PRODUCTION AND INTERROGATORIES**

TO: The United States of America, by and through its counsel of record, Daniel J. Freeman, United States Department of Justice, Civil Rights Division, 950 Pennsylvania Ave. NW, Washington, D.C., 20530, daniel.freeman@usdoj.gov, (202) 305-4355.

The State Defendants serve this first set of Requests for Production and Interrogatories to the United States pursuant to the Federal Rules of Civil Procedure. Plaintiff must serve its responses upon the undersigned counsel within thirty days. Plaintiff must supplement its responses as required by the Federal Rules of Civil Procedure and any orders entered by the Court.

Date: March 3, 2022

Respectfully submitted.

KEN PAXTON
Attorney General of Texas

/s/ Patrick K. Sweeten
PATRICK K. SWEETEN
Deputy Attorney General for Special Litigation
patrick.sweeten@oag.texas.gov
Tex. State Bar No. 00798537

BRENT WEBSTER
First Assistant Attorney General

OFFICE OF THE ATTORNEY GENERAL
P.O. Box 12548 (MC-009)
Austin, Texas 78711-2548
Tel.: (512) 463-2100
Fax: (512) 457-4410

WILLIAM T. THOMPSON
Deputy Chief, Special Litigation Unit
will.thompson@oag.texas.gov
Tex. State Bar No. 24088531

ERIC A. HUDSON
Senior Special Counsel
eric.hudson@oag.texas.gov
Tex. Bar No. 24059977

KATHLEEN T. HUNKER
Special Counsel
kathleen.hunker@oag.texas.gov
Tex. State Bar No. 24118415

LEIF A. OLSON
Special Counsel
leif.olson@oag.texas.gov
Tex. State Bar No. 24032801

JEFFREY M. WHITE
Special Counsel
jeff.white@oag.texas.gov
Tex. State Bar No. 24064380

JACK B. DISORBO
Assistant Attorney General
jack.disorbo@oag.texas.gov
Tex. State Bar No. 24120804

COUNSEL FOR STATE DEFENDANTS

CERTIFICATE OF SERVICE

I certify that a true and accurate copy of the foregoing document was served in compliance with the Federal Rules of Civil Procedure upon the following via electronic mail on March 3, 2022:

T. CHRISTIAN HERREN, JR.
chris.herren@usdoj.gov
RICHARD A. DELLHEIM
richard.dellheim@usdoj.gov
DANIEL J. FREEMAN
daniel.freeman@usdoj.gov
Civil Rights Division
U.S. Department of Justice
950 Pennsylvania Avenue NW
Washington, DC 20530

DANA PAIKOWSKY
dana.paikowsky@usdoj.gov
MICHAEL E. STEWART
michael.stewart3@usdoj.gov
JENNIFER YUN
jennifer.yun@usdoj.gov
Civil Rights Division
U.S. Department of Justice
950 Pennsylvania Avenue NW
Washington, DC 20530

/s/ Patrick K. Sweeten
PATRICK K. SWEETEN

DEFINITIONS

The following words have the meanings set forth below, unless the context indicates otherwise:

1. “State Defendants” means the State of Texas and Secretary of State John Scott.
2. “Document” means any writing of any kind, source, or authorship, regardless of how it may be recorded, stored, or reproduced. The term includes both originals and all non-identical copies thereof, as well as all drafts, revisions, and amendments, regardless of whether adopted. The term also includes but is not limited to handwritten, typewritten, printed, photocopied, photographic, and electronically recorded matter. For purposes of illustration and not limitation, the term includes: contracts, agreements, communications, reports, charges, complaints, correspondence, letters, emails, social media postings, telegrams, memoranda, applications, summaries or records of telephone conversations, summaries or records of personal conversations or interviews, journals, diaries, schedules, charts, graphs, worksheets, spreadsheets, reports, notebooks, note charts, handwritten notes, plans, drawings, sketches, maps, brochures, pamphlets, advertisements, circulars, press releases, summaries or records of meetings or conferences, summaries or reports or records of investigations or negotiations, opinions or reports of consultants, bills, statements, invoices, affidavits, schedules, audio recordings, video recordings, transcriptions, and photographs.
3. “Statement” means any written or graphic assertion or representation signed, adopted, or approved by the person making it, or any stenographic, mechanical, electronic, or other record or transcription that is a substantially verbatim recital of an oral statement by the person making it and contemporaneously recorded.
4. “Communication” means any conveyance or transfer of any information from one person to another by any means or in any form, including but not limited to all types of documents and oral communications.
5. “Identify” when referring:
 - a. to a person, means to state the person’s full name, present or last known address, telephone number, and email address;
 - b. to an organization or entity, means to state its full name, present or last known address, telephone number, fax number, and email address;
 - c. to a document, means to describe its contents; to identify when, where, and how it was made; to identify who made it; and to identify who has present or last known possession, custody, or control of the document;
 - d. to a statement or communication, means to describe its contents; to identify when, where, and how it was made; to identify who made it and who was present when it was made; and to identify who has present or last known possession, custody, or control of any recording of the statement or communication;

- e. to a social media account, means to provide the username of the account, identify all persons who control or have access to the account, provide the date on which the account was created, and describe whether the account is still in existence and/or in use.
- 6. “Lawsuit” means *United States of America v. State of Texas, et al.*, Case No. 5:21-cv-1085-XR (W.D. Tex.), now consolidated in *La Unión Del Pueblo Entero, et al. v. Greg Abbott, et al.*, Case No. 5:21-cv-844-XR (W.D. Tex.).
- 7. “Texas Senate Bill 1” or “SB1” refers to the enacted legislation that forms the basis of this Lawsuit, which is An Act Relating to Election Integrity and Security, S.B.1, 87th Leg., 2d C.S. (2021).

INSTRUCTIONS

1. The singular shall be construed to include the plural, and the plural shall be construed to include the singular, as necessary to bring within the scope of each Request or Interrogatory all responses that might otherwise be construed outside its scope.
2. The connectives “and” and “or” and the phrase “and/or” shall be construed disjunctively or conjunctively as necessary to bring within the scope of each Request or Interrogatory all responses that might otherwise be construed outside its scope. The word “and” shall be construed to mean both “and” and “or,” and vice versa, as necessary to bring within the scope of each Request or Interrogatory all responses that might otherwise be construed outside its scope.
3. If you object to production or disclosure of material or information as privileged, you are instructed, pursuant to Fed. R. Civ. P. 26(b)(5), to: (1) state that material or information responsive to the Request or Interrogatory has been withheld from production or disclosure; (2) identify the Request or Interrogatory to which the material or information relates; (3) describe the nature of the material or information not produced or disclosed; and (4) state the objection or privilege asserted.
4. These Requests and Interrogatories are continuing and require reasonable supplementation of your responses if you, your attorneys, or any other person acting on your behalf obtains further information or documents between the time of your initial responses and the time of trial. Any documents or information obtained pursuant to these Requests and Interrogatories may be used in evidence at trial.
5. In the event that any document or information requested is unavailable due to loss or destruction of documents, loss of memory, failure to keep documents, or any other reason, describe the nature of the document or information, the substantive content of the document or information, the last known person to have possession of the document or information, and the circumstances surrounding the destruction or loss of the document or information.

INTERROGATORIES

1. Identify each Texas Election Code provision that Senate Bill 1 amended and that you are challenging by the relevant section number of each Texas Election Code provision.
2. Please identify with specificity each form of affirmative relief which you seek from each defendant through this Lawsuit.
3. If you seek mandatory injunctive relief through this Lawsuit, identify and describe with specificity, each omission that you contend each Defendant should be enjoined to perform to resolve each claim you have alleged against the Defendants in this Lawsuit.
4. If you seek prohibitive injunctive relief through this Lawsuit, identify and describe with specificity each action that you contend each Defendant should be enjoined from performing to resolve each claim you have alleged against each Defendant in this Lawsuit.
5. Identify all components, agencies, offices, federal government officials, employees, actors, or any other juridical or natural person that you contend falls within the scope of your representation of the “United States” in this lawsuit.
6. Identify all parties to 21-cv-844-XR or any case consolidated with 21-cv-844-XR with which or whom you have a joint defense agreement, common interest agreement, or any other agreement to coordinate the prosecution of your lawsuit.

REQUESTS FOR PRODUCTION

Request for Production 1. Produce all documents supporting the following contentions from ¶ 21 of your Complaint:

1. 3,049,758 persons speak Spanish at home and also speak English less than very well (11.6%);
2. 557,497 persons speak another language at home and also speak English less than very well (2.1%).

Request for Production 2. Produce all documents concerning the numbers of persons who speak Vietnamese, Indic languages, Mandarin, Cantonese, Arabic, Korean, Tagalog, French or Cajun, Persian, Khmer, and Native American languages in Texas as described in ¶ 21 of your Complaint.

Request for Production 3. Produce all documents tending to substantiate the contention in ¶ 22 of your Complaint that “[e]ven where ballots are translated, many minority language voters still need assistance in the voting booth to understand the ballot and effectively exercise their right to vote. This is all the more true of voters whose principal language is not subject to federal or state requirements to provide language minority ballots in a particular jurisdiction.”

Request for Production 4. Produce the 2019 CDC Behavioral Risk Factor Surveillance System survey supporting the contentions in ¶ 23 of your Complaint.

Request for Production 5. Produce all documents substantiating the contention in ¶ 24 of your Complaint that the Texas Workforce Investment Council relied on 2014 survey data to develop estimates concerning self-reported disabilities among Texas residents.

Request for Production 6. Produce all documents, recordings, or other media pertaining to quoted statements contained in ¶ 25 of your Complaint.

Request for Production 7. Produce all documents pertaining to guidance, training, or similar materials referenced in ¶¶ 39-40, 51-53 of your Complaint.

Request for Production 8. Produce the following records relating to the Election Crimes Branch within the United States Department of Justice, since January 1, 2020:

1. organizational charts;
2. budgets (annual or otherwise);
3. reports, studies, analyses, or presentations made or performed on a regular basis (annual or otherwise) concerning election crimes;
4. reports, studies, analyses, or presentations related to or referencing Texas elections, including but not limited to those referencing drop box voting, drive-thru voting, voting by mail, voter assistance, or ballot harvesting;

5. lists, audits, accountings, or other documents used to track pending election crimes cases in any court within Texas, or in the United States Court of Appeals for the Fifth Circuit or the United States Supreme Court.

Request for Production 9. Produce all documents in the possession, custody, or control of, and all communications from or to, all persons within the Department of Justice for the period since January 1, 2020 that reference or relate to Texas Senate Bill 1.

Request for Production 10. Produce all documents in the possession, custody, or control of, and all communications from or to, all persons within the Department of Justice that involve voter fraud, including but not limited to the obtaining or marking of ballots, the registration of voters, or voting by non-citizens.

Request for Production 10. Produce all documents in the possession, custody, or control of, and all communications from or to, all persons within the Department of Justice that involve the Diplomatic Security Service of the United States Secretary of State, the Federal Bureau of Investigation, or the United States Department of Homeland Security that pertain to civil or criminal enforcement of voting or election laws within the State of Texas from January 1, 2020, through September 1, 2021.

Request for Production 11. Produce the following records relating to any division, office, branch, or unit of FBI whose work includes election crimes and security within the State of Texas, since January 1, 2020:

- a. organizational charts;
- b. budgets (annual or otherwise);
- c. reports, studies, analyses, or presentations made or performed on a regular basis (annual or otherwise);
- d. reports, studies, analyses, or presentations related to or referencing voter fraud in Texas, including but not limited to those referencing drop box voting, drive-thru voting, voting by mail, voter assistance, or ballot harvesting; or,
- e. lists, audits, accountings, or other documents used to track pending election crimes cases in any court within Texas, or in the United States Court of Appeals for the Fifth Circuit or the United States Supreme Court.

Request for Production 12. All documents identified or referenced in your Complaint, including but not limited to emails, letters, memoranda, surveys, evaluations, reprimands, and reports, and/or petitions.

Request for Production 13. All documents in your possession that have been received in response to a request under the Texas Public Information Act that support or otherwise pertain to the claims you assert in this lawsuit.

Request for Production 14. All documents in your possession that have been received in response to a request under Rule 45 of the Federal Rules of Civil Procedure that pertain to the claims you assert

in this lawsuit.

Request for Production 14. Please produce all communications with counsel for or parties to 21-cv-844-XR or any case consolidated with 21-cv-844-XR that occurred prior to November 4, 2021.

Request for Production 15. Produce all agreements with parties identified in response to Interrogatory No. 2.

Request for Production 15. Produce all communications with parties identified in response to Interrogatory No. 2.

Request for Production 16. Produce all communications between any member of the United States House of Representatives and the Department of Justice concerning 21-cv-844-XR or any case consolidated with 21-cv-844-XR that occurred prior to November 4, 2021. The term “member” includes any staff of a member of the United States House of Representatives and any agent of a member of the United States House of Representatives.

Request for Production 17. Produce all communications between any member of the United States Senate and the Department of Justice concerning 21-cv-844-XR or any case consolidated with 21-cv-844-XR that occurred prior to November 4, 2021. The term “member” includes any staff of a member of the United States Senate and any agent of a member of the United States Senate.

Request for Production 18. Produce all communications between any member of the Biden-Harris Administration¹ and the Department of Justice concerning 21-cv-844-XR or any case consolidated with 21-cv-844-XR that occurred prior to November 4, 2021. The term “member” includes any staff of a member of the Biden-Harris Administration and any agent of a member of the Biden-Harris Administration.

Request for Production 19. Produce all communications between any federal government component, federal government agency, federal government office, federal government official, federal government employee, federal government actors or agent, or any other federal government juridical or natural person that falls outside the scope of your representation of the “United States” in this lawsuit concerning 21-cv-844-XR or any case consolidated with 21-cv-844-XR that occurred prior to November 4, 2021.

¹ “Biden-Harris Administration” refers to all persons identified as described by The White House website. *See* The Biden-Harris Administration, *available at* [whitehouse.gov/administration/](https://www.whitehouse.gov/administration/) (last visited Mar. 1, 2022).